

Date: 03/30/2021 02:30 pm

In re: Thomas J. Hayes

Bankruptcy No. 16-21018-CMB

Chapter: 13

Doc. # 174

Appearances: BY ZOOM: Owen Katz, Mark B. Peduto, Jonathan M. Etkowicz

Nature of Proceeding: #174 Motion To Compel

Additional Pleadings: #181 Exhibit A to Docket #174

#184 Consent Motion To Continue Hearing

#186 Order Signed 02/12/2021 Granting #184 - Hearing Continued to: 03/15

/2021 at 10:00 a.m. via Zoom

#190 Consent Motion To Continue Hearing

#191 Order Signed 02/26/2021 Granting #190 - Hearing Continued to: 03/30

/2021 at 2:30 p.m. via Zoom

#196 Objection by Select Portfolio Servicing, Inc.

Judge's Notes:

-Peduto: Applied for loan modification. Attorney Etkowicz indicated that client has policy that loan modifications are not granted when the loan is under 60% loan to value. Arbitrary rule that may not constitute good faith.

-Etkowicz: Loan is held in pool by an investor. This is the investor's rule for LMP.

OUTCOME: Continued to 5/25 at 1:30 pm.

-Attorney Peduto to research this issue. Attorney Peduto to withdraw motion if he is unable to find case law supporting his argument or to file a memorandum with the Court if he does find supporting case law.

-Parties to be prepared to discuss how they want to proceed at the continued hearing.

Carlota Böhm

Chief U.S. Bankruptcy Judge

FILED

3/31/21 8:31 am

CLERK

U.S. BANKRUPTCY

COURT - WDPa

In re:
Thomas J. Hayes
Debtor

Case No. 16-21018-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Mar 31, 2021

User: gamr
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 02, 2021:

Recip ID	Recipient Name and Address
db	+ Thomas J. Hayes, 4033 Tall Timber Dr., Allison Park, PA 15101-3043

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 02, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 31, 2021 at the address(es) listed below:

Name	Email Address
Anthony T. Kovalchick	on behalf of Creditor Office of Attorney General Pennsylvania Department of Revenue akovalchick@attorneygeneral.gov
Brian Nicholas	on behalf of Creditor Federal Home Loan Mortgage Corporation as Trustee for the benefit of the Freddie Mac Seasoned Loans Structured Transaction Trust, Series 2020-1 bnicholas@kmlawgroup.com
David Z. Valencik	on behalf of Debtor Thomas J. Hayes dvalencik@c-vlaw.com cvlaw.ecf.dvalencik@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mpeduto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
Donald R. Calaiaro	on behalf of Debtor Thomas J. Hayes dcalaiaro@c-vlaw.com cvlaw.ecf.dcalaiaro@gmail.com;aheath@c-vlaw.com;kmosur@c-vlaw.com;bhassain@c-vlaw.com;ssimmons@c-vlaw.com;mpeduto@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com

District/off: 0315-2

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Form ID: pdf900

Total Noticed: 1

James P. Valecko	on behalf of Creditor PNC BANK NA. jvalecko@weltman.com, PitEcf@weltman.com
Jeffrey R. Hunt	on behalf of Creditor Hampton Township School District jhunt@grblaw.com cnoroski@grblaw.com
Jeffrey R. Hunt	on behalf of Creditor Township of Hampton jhunt@grblaw.com cnoroski@grblaw.com
Jonathan Etkowicz	on behalf of Creditor Federal Home Loan Mortgage Corporation as Trustee for the benefit of the Freddie Mac Seasoned Loans Structured Transaction Trust, Series 2020-1 jonathan.etkowicz@piblaw.com
Jonathan Etkowicz	on behalf of Creditor SELECT PORTFOLIO SERVICING INC jonathan.etkowicz@piblaw.com
Joseph P. Schalk	on behalf of Creditor Wells Fargo Bank N.A. jschalk@barley.com, sromig@barley.com
Kevin Scott Frankel	on behalf of Creditor Specialized Loan Servicing LLC pabk@logs.com logsecf@logs.com
Leon P. Haller	on behalf of Creditor Pennsylvania Housing Finance Agency Homeowner's Emergency Mortgage Assistance Program lhaller@pkh.com dmaurer@pkh.com;lrynard@pkh.com;mgutshall@pkh.com
Mario J. Hanyon	on behalf of Creditor Wells Fargo Bank N.A. wbecf@brockandscott.com, mario.hanyon@brockandscott.com
Mark B. Peduto	on behalf of Debtor Thomas J. Hayes mpeduto@c-vlaw.com jadam@c-vlaw.com;ssimmons@c-vlaw.com;kmosur@c-vlaw.com;apratt@c-vlaw.com;rfeil@c-vlaw.com;eratti@c-vlaw.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Peter J. Ashcroft	on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com ckutch@ecf.courtdrive.com;acarr@bernsteinlaw.com
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com
Stephen Russell Franks	on behalf of Creditor PNC BANK NA. amps@manleydeas.com

TOTAL: 18